

Application No.: 09/747,602

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Docket No.: 404332000200

REMARKS**Summary of the Office Action****Pending Claims**

Claim 1 was pending in this application. Applicant has canceled Claim 1, and added claims 2-27. Thus, claims 2-27 are pending in the application.

Objection to the Specification

The examiner objected to the abstract of the disclosure because it appears to be a verbatim copy of the one and only one claim.

The examiner objection to the current title "VIVA" because it is not descriptive and appears to be a trademark of the name of the product to which the patent application is directed.

Claim Rejection under 35 U.S.C. 103

The examiner has rejected claim 1 under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 4,775,950 issued to Terada et al. (hereafter Terada '950) in view of U.S. Patent No. 5,111,413 issued to Lazansky et al. (hereafter Lazansky '413).

Applicant's Response to Objection to Specification

Applicant has amended the abstract as requested by the examiner.

Applicant has amended the title of the invention as requested by the examiner.

Applicant's Response to Rejection Under 35 U.S.C. 103

Applicant respectfully submits that neither Terada '950 nor Lazansky '413 teach or suggest claim 1, which has been cancelled.

Claim 1 recited,

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"1. A computer readable medium encoded with computer readable code that includes:

a variant behavior object that includes a behavior code unit implemented in computer readable code;

wherein the variant behavior object is associated with behavior code that effects a pattern for processing of a data set and that references another behavior object."

Applicant sets forth a usage of the term "variant" in the patent specification at page 15. Examples of the referencing of "another behavior object" by a "variant object" is shown at Figures E7, F1, G2, and G3 and is explained in corresponding portions of the specification, for example.

Terada '950 and Lazansky '413 pertain to logic simulation. These references do not teach or suggest a "variant behavior object" or a "variant behavior object...that references another behavior object", for example.

Thus, applicant respectfully submits that neither Terada '950 and Lazansky '413 teach or suggest claim 1.

Applicant has cancelled claim 1 because applicant does not wish to pursue claim 1, and wishes to pursue new claims 2-27 set forth herein.

New Claims 2-27

Applicant sets forth new claims 2-27 in order to pursue an invention that is different from the invention presented originally in claim 1. When the original patent application was filed, applicant did not have the time to devote to preparation of a detailed set of claims. Instead, applicant put his efforts into developing as complete a disclosure as possible under the circumstances. Applicant is a co-founder of a small company, and at the time this application was filed, applicant was under great stress to continue product development and market development for his new behavioral synthesis system and related software and hardware products. Applicant believes that he has developed a new paradigm for behavioral synthesis, and that he has developed

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numerous inventions in the process. In view of the limited time that the applicant had to devote to the preparation of his patent application, applicant put his efforts into developing a robust disclosure of his new behavioral synthesis system so as to provide plenty of support for the numerous inventions that he believes to be embodied in the system.

The newly added claims are directed to different subject matter than abandoned claim 1, although the new claims are drawn from the same patent specification filed by the applicant.

Therefore, the addition of new claims 2-27 is unrelated to the patentability of cancelled claim 1.

Applicant respectfully submits that no new matter is added by these new claims.

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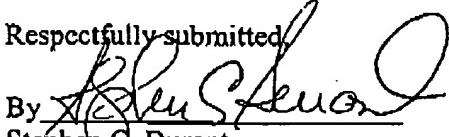
Conclusion

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue. If it is determined that a telephone conference would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number given below.

In the event the U.S. Patent and Trademark office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing docket no. 404332000200. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: June 24, 2004

Respectfully submitted,

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